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4 ARCELIO JOSEPH REYBOL,
5 Plaintiff,
6 v.
7 CALIFORNIA DEPARTMENT OF
8 WATER RESOURCES, et al.,
9 Defendants.

10 Case No. 3:23-cv-05504-JSC

11 **ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION**

12 Re: Dkt. Nos. 7, 9

13 The Court has reviewed Magistrate Judge Lisa Cisneros's report and recommendation to
14 dismiss this action for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1915(e). (Dkt.
15 Nos. 7, 9.) Judge Cisneros previously screened the case and concluded Plaintiff's complaint
16 against the California Department of Water Resources, Paulina Johnson (identified as an "office
17 technician"), the "California EPA", and the "California PUC" regarding a job Mr. Reybol applied
18 for with the Department of Water Resources that he did not receive, did not allege a basis for
19 federal subject matter jurisdiction. (Dkt. No. 7.) Judge Cisneros ordered Plaintiff to show cause as
20 to why the action should not be dismissed for lack of subject matter jurisdiction. (*Id.* at 6.)

21 Plaintiff thereafter filed a document captioned "Federal Rules of Civil Procedure Rule 7(a):
22 Answer," attaching miscellaneous pages, some of which are other previous filings in this case.
23 (Dkt. No. 8.) Judge Cisneros reviewed the documents and concluded they failed to address the
24 Court's Order to Show Cause or provide a basis for the Court's subject matter jurisdiction. (Dkt.
25 No. 9.) Judge Cisneros thus prepared the underlying report and recommendation recommending
26 the action be dismissed for lack of subject matter jurisdiction. (*Id.* at 2.). Plaintiff did not file
27 objections or otherwise respond to Judge Cisneros's report and recommendation.

28 Accordingly, the Court finds the report correct, well-reasoned, and thorough, and

1 ADOPTS the report and recommendation. The complaint is dismissed under 28 U.S.C. §
2 1915(e)(2) without prejudice to filing in state court.

3 This Order disposes of Docket No. 9.

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5 **IT IS SO ORDERED.**

6 Dated: April 17, 2024

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JACQUELINE SCOTT CORLEY
United States District Judge